

INMATE INFORMATION HANDBOOK



**FEDERAL BUREAU OF PRISONS
USP LEE COUNTY, VIRGINIA**

**Inmate Mailing Address:
Satellite Camp - Lee
Inmate Name, Inmate Number
P.O. Box 644
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(updated 6/2008)**

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USP and SCP LEE COUNTY, VIRGINIA

Inmate Information Handbook

Federal Bureau of Prisons Introduction

The purpose of this handbook is to provide inmates confined within the Federal Bureau of Prisons with general information regarding the Bureau, its programs, institutions, and the rules and regulations they will encounter during confinement. It is not a specific guide to the detailed policies of the Bureau (which are subject to change) or all procedures in effect at each Bureau location. That information will be made available during the institution's Admission and Orientation program. Rather, the material in this handbook will help new inmates more quickly understand what they will be encountering when they enter prison, and hopefully assist them in their initial adjustment to institution life.

Intake, Classification, and the Unit Team

Orientation: Inmates are screened socially and medically at the time of arrival. They will also be screened by Psychology Staff. Inmates are immediately provided with a copy of the institution's rules and regulations and given information on inmate rights and responsibilities.

For the first week or two of an inmate's stay at an institution, the inmate will be initially assigned to the institution's Admission and Orientation (A&O) Program. While in A&O, inmates are advised of the programs, services, policies, and procedures regarding the facility. Also, they will hear lectures from staff regarding their programs and departments. While in the A&O Program, inmates will also be assigned to work details to complete housekeeping and other sanitation related duties. At the end of the A&O Program, they will be assigned a permanent job.

Unit Teams: USP and SCP Lee are organized into a unit management system. A unit is a self-contained inmate living area that includes both housing sections and office space for unit staff. Each unit is staffed by a Unit Team directly responsible for those inmates living in that unit. The Unit Staff Offices are located in the units so staff and inmates can be accessible to each other.

The unit staff includes the Executive Assistant, one Case Manager, one Counselor and a Unit Secretary. The Staff Psychologist, Education Advisor, and Unit Officer also are considered to be unit staff, and may sit on the Unit Team.

Generally the resolution of issues or matters of interest while at the institution are most appropriately initiated with the Unit Team. Unit Team members are available to assist in many areas, including parole matters, release planning, personal and family problems, counseling, and assistance in setting and attaining goals while in prison. Ordinarily, a member of the unit staff will be at the institution weekdays from 7:30 a.m. to 9:00 p.m., and during the day on weekends and holidays. The Unit Team members usually schedule their working hours in such a manner that one of them will be available at times when inmates are not working.

General Functions of Unit Staff: The Executive Assistant is the administrative head of the general unit and oversees all unit programs and activities. He/She is a Department Head at the institution and has a close working relationship with other departments and personnel. The Unit Manager is the "Chairperson" of the team, reviews all team decisions, and chairs the Unit Discipline Committee.

The Case Manager is responsible for all casework services and prepares classification material, progress reports, release plans, correspondence, and other materials relating to the inmate's commitment. He/She is responsible to the Unit Manager on a daily basis and the Case Management Coordinator (a specialist department head who provides technical assistance to unit staff in case management affairs) with reference to specialized training and duties. The Case Manager serves as a liaison between the inmate, the administration, and the community. The Case Manager is a frequent member of the Unit Discipline Committee.

The Counselor provides counseling and guidance for inmates in their units, in areas of institutional adjustment, personal difficulties, and future plans. The Counselor plays a leading role in all segments of unit programs and is a voting member of the Unit Team. The Counselor will visit inmate work assignments regularly and is the individual to approach for daily problems. As a senior staff member, the Counselor provides leadership and guidance to other

staff in the unit. The Counselor is a frequent member of the Unit Discipline Committee.

The Unit Secretary performs clerical and administrative duties. In some institutions, the Secretary may sit as a member of the Unit Team.

Communications: There will be a unit staff member available each day of the week and two evenings a week until 9:00 p.m. The unit bulletin boards contain written communication of interest to inmates. Unit staff will utilize Town Hall meetings at their discretion to foster improved communications.

Program Reviews: An inmate's initial classification or program review (team) meeting will be held within 30 days of arrival. Subsequent program review meetings will be held every 90 to 180 days. These are held by the Unit Teams to review the inmate's pursuit of program recommendations, program involvement, work assignments, transfers, custody, institutional adjustment, etc. If there is a significant change in the inmates case (i.e. sentence reduction or detainer removal) the inmate may request an unscheduled program review. This request is to be made the Unit Manager.

Town Hall Meetings: Unit Town Hall meetings are held periodically to make announcements and discuss changes in policy and procedures. Inmates are encouraged to ask pertinent questions of the staff and any guest speakers who are present. These questions should pertain to the unit as a whole, rather than personal questions or problems. Personal problems will be resolved by unit staff members during the regular working hours, which are posted in each unit. An "Open Door" policy is usually in effect at these times.

Team Participation in Parole Hearings: The Case Manager prepares the Progress Report with input from the Unit Team and compiles other information in the inmate's central file for presentation to the U.S. Parole Commission or other appropriate agencies. The inmate's Case Manager will ordinarily be present at that inmate's Parole hearing. The Case Manager's function at the hearing is to assist the Parole examiners, not as a staff representative for the inmate.

Unmonitored Legal Telephone Calls: An inmate may be granted an unmonitored, legal telephone call to his attorney when communication by correspondence, visiting, or normal telephone use is not adequate. For example, when the inmate or the inmate's attorney can demonstrate an imminent court deadline. Inmates must submit an Inmate Request to Staff Member to the Executive Assistant.

Foreign Consulate for Non-U.S. Inmates: Inmates who are not U.S. citizens may contact their consulate. To do this, they must submit an Inmate Request to Staff Member to their Unit Team.

Treaty Transfers for Non-U.S. Inmates: Inmates who are not U.S. citizens may be eligible for a transfer to their home country to serve the remainder of their sentence. This only is possible for inmates whose country has a formal prisoner exchange treaty with the United States. The Unit Team is the source of information about these transfers, and can tell an inmate if their home country has signed this kind of agreement with the U.S. and if so, how to apply for transfer.

Indigent Inmates: Indigent inmates may receive stamps as necessary to continue/maintain their social and legal correspondence. Inmates must submit an Inmate Request to Staff Member to the Executive Assistant.

Daily Inmate Life

Sanitation: It is the inmate's responsibility to check his living area immediately after being assigned and to report all damage and contraband to the Correctional Officer, Case Manager, or Counselor. An inmate may be held financially liable for any damage to his personal living area.

Each inmate is responsible for making his bed in accordance with regulations before work call (including weekends and holidays when he leaves the area.) Each inmate is also responsible for maintaining the general sanitation of his personal area by sweeping, mopping, and removing the trash. Cardboard boxes and other paper containers are not to be used for storage due to their combustible nature. Lockers must be neatly arranged inside and out.

Toothpaste, toothbrushes, combs, razors, and soap are issued by the institution and are available in the Laundry area. Inmates may purchase name brand items through the commissary.

Personal Property Limits: Items which may be retained by an inmate are limited for sanitation and security reasons to ensure that excess personal property does not pose a fire hazard or impair staff searches. The list is not all-inclusive, but it is a guide to the kind of items an inmate may be authorized. The list will be found on the unit bulletin board.

Storage Space: Storage space consists of an individual locker. Locks may be purchased in the institution commissary. The amount of personal property allowed each inmate is limited to those items which can be neatly and safely placed in the space designated. Under no circumstances will any materials be accumulated to the point where they become a fire, sanitation, security, or housekeeping hazard.

Clothing: Civilian clothing of any type (except athletic apparel) is not authorized. A limited number of personal sweatshirts (purchased in BOP commissaries) may be permitted. Individual wash cloths and towels are issued to inmates. Authorized footwear might include: one pair of composite safety shoes, one pair of shower shoes, one pair of slippers, and two pairs of tennis shoes. All footwear will be placed under the bed.

Special Purchase Items: Special Purchase Items will be authorized only to the point where they can be contained in the storage area provided for personal property.

Legal Materials: Inmates are allowed to maintain legal materials and supplies (not to exceed a locally established limit) in their locker. If an inmate has current legal material that exceeds the allowable limit, he can ask the unit team for more storage.

Hobby Craft Materials: Hobby shop raw materials will be stored in Recreation. Disposal of completed hobby craft work must be arranged immediately after completion.

Commissary Items: The total value of an inmate's accumulated Commissary items (excluding special purchases) will be limited to the monthly dollar amount as outlined by policy. Special limits may apply. For instance, in many locations, an inmate may not have in his locker more than two (2) cartons of cigarettes at any time and not more than two (2) packages on his person.

Food Storage: Food items that are left open create a health hazard. These items must be properly sealed at all times. Empty jars may not be used as drinking containers and are to be thrown away.

Letters, Books, Photographs, Newspapers, and Magazines: An inmate will be limited in the number of magazines that can be stored in the locker or shelf provided in each cell/cubicle. Ordinarily, picture frames sold in the Commissary may be displayed. **Nothing** is to be tacked, stapled, or taped on any surface.

Sports and Musical Equipment: A limited amount of sports equipment may be maintained in the unit. Refer to Institution Supplement on Inmate Personal Property. Sports and recreation equipment will be available for inmate use in the Recreation Department.

Radios and Watches: An inmate may not own or possess more than one (1) approved radio and/or watch at any time. Proof of ownership through appropriate property receipts will be required. Radios and watches may not have a value which exceeds the locally established limits, usually in the \$100.00 range. Radios with a tape recorder and/or tape player are not authorized. Radios and watches will be inscribed with the inmate's name and registration number. Only walkman-type radios are permitted and headphones are required at all times. While an inmate is in holdover status he may not purchase, own, or possess a radio or watch. Inmates may not give any item of value to other inmates, i.e., radio, watch, shoes, or commissary items.

Jewelry: Inmates may have a plain wedding band without stones and, with prior approval, a religious medal without stones. The value of jewelry will not exceed \$100.00.

Quarters Rules

Institutions impose regulations on inmate conduct and furnishings in housing units. Unit Officers inspect rooms daily in order to minimize maintenance costs, permit uniform inspection, search procedures, and to maintain orderly, congregate living.

All beds are to be made daily in the prescribed manner. If a cell or room is not acceptable, corrective action, including incident reports, can be expected.

Orderlies work 35 hour weeks and are responsible for the unit sanitation. However, everyone is responsible for cleaning up after themselves. Trash and wastebaskets are to be emptied prior to 7:30 a.m. each day. Beds will be made each day by 7:30 a.m. At no time will a mattress be removed from a bunk and placed on the floor.

Showers are available every day; however, inmates may not be in the shower during an official count. Food Service workers and others with irregular work shifts may shower during the day as long as showering does not interfere with the cleaning of the unit. Inmates requesting to shower after 7:30 a.m. must get the permission of the Unit Officer.

Removal of food from the dining room is not permitted, with the exception of one piece of fresh fruit. Fruit must be consumed before it spoils.

Composite safety shoes must be worn to work. Shoes are to be worn in the dining room area; however, no open toed shoes permitted.

Personal Radios: They may be played in an individual's room, but headphones must be used at all times. Radios are not to be audible by anyone except the person wearing the headphones. Radios are not to be used during count times.

Smoking Policy: Smoking indoors is prohibited throughout USP and SCP Lee. Inmates will be permitted to smoke only outdoors in designated smoking areas, pursuant to policy.

Wake-Up: Wake-up for all inmates in a typical institution is about 6:00 a.m.

Dress Code: Hats are not to be worn inside the inmate Dining Room. The only exception is Food Service Workers who are required to wear hats while working and some religious head gear.

Appropriate inmate dress for the morning and noon meals during institution workdays will be institution issue pants, shirts, and approved work shoes. Approved personal shoes may be worn by inmates in off-duty status. During the evening meals and all weekends and holiday meals, approved leisure time personal clothing may be worn in the Dining Room. Sleeveless tops may not be worn in the Dining Room at any time. Shirts must be tucked in when entering the Dining Room for all meals and during routine work hours, Monday thru Friday.

Commissary: Inmate funds are retained by the institution in a trust fund, from which the inmate may by BP-199 or debit on inmate account card, withdraw money for personal spending in the institution Commissary, family support, or other approved purposes. Accumulated institutional earnings and monies sent from outside sources are given to the inmate upon release or may be mailed to the inmate's home. Borrowing Commissary items from other inmates is not allowed. Special purchase items such as tennis shoes, gym clothes, seat suits, and radios require a form completed by the inmate and routed to Commissary.

Spending Limitations: Inmates are permitted to spend up to \$295.00 each month for regular purchases, and an additional amount for special items. Inmates will be advised of the current spending limit during A&O. Once a month, each inmate's account is "validated" that is, the spending period begins with validation.

Deposits to Accounts: Effective November 1, 2004, all funds being sent to inmates at USP Lee County must be sent to the National LockBox location at the following address:

Federal Bureau of Prisons
Inmate name and number
Post Office Box 474701
Des Moines, Iowa 50947-0001

Commissary Fund Withdrawals: a standard form is provided by the institution for the withdrawal of inmate funds from Commissary accounts. The Executive Assistant may approve withdrawals for legitimate debts and other obligations such as court fees, attorney fees, birth certificates, expenses and trips, bedside visits, funeral trips, and approved inmate contributions to recognized charities and withdrawals exceeding \$250.00.

Security Procedures

Counts: It is necessary for staff to count inmates on a regular basis, the inmates must be seen even if the inmate must be awakened. While count procedures and unit design vary from institution to another, generally the way count procedures are conducted is the same. When a count is announced, inmates will return to their assigned cell/cubicle where they are to remain quietly until the count is cleared. No talking, use of radios, or movement will be tolerated during the taking of count. Official counts will ordinarily be conducted at 12:00 a.m. (midnight), 3:00 a.m., 5:00 a.m., 10:00 a.m. (On weekends and holidays), 4:00 p.m., and 10:00 p.m. The 10:00 a.m. and 4:00 p.m. counts are mandatory stand-up counts and all inmates are required to be standing at their bedsides during those counts. Other counts can occur during the day and evening. Staff will take disciplinary action if an inmate is not in his assigned area during a count. Disciplinary action will also be taken against an inmate for leaving an assigned area before the count has cleared or for interfering with the count process. At any time a Lock-Down Census may occur and will be announced by staff on the institution P.A. system. In such instances, inmates will cease all movement and report to the nearest staff member. There will be no movement and all scheduled call-outs will be rescheduled. When the Lock-Down Census is cleared, normal operations will begin.

Call-Outs: Call-outs are a scheduling system for appointments (which includes hospital, dental, educational, team meetings, and other activities) and are posted each day on the unit bulletin boards after 4:00 p.m., on the day proceeding the appointment. It is the inmate's responsibility to check for appointments on a daily basis. All scheduled appointments are to be kept. If an inmate needs routine medical attention, he is expected to report to the hospital during specified hours and sign up for sick call. Emergency situations are handled accordingly.

Contraband: Contraband is defined as any item not authorized or issued by the institution, received through unapproved channels, or not purchased through the Commissary. All staff are alert to the subject of contraband and make efforts to locate, confiscate, and report contraband in the institution. Each inmate is responsible for all items found in their assigned living area and should immediately report any unauthorized item to the Unit Officer. Any item in an inmate's personal possession must be authorized and a record of the receipt of the item should be kept in the inmate's possession. Inmates may not purchase radios or other items from other inmates. Items purchased in this manner are considered contraband and will be confiscated. Approved or issued items which have been altered are considered contraband. Altering or damaging government property is a violation of institution rules and the cost of the damage will be levied against the violator.

Shakedown: Any staff member may search an inmate's room to retrieve contraband or stolen property. Inmates **WILL NOT** be present when their rooms are inspected. The property and living area will be left in the same general condition as found. These inspections will be random and unannounced.

Drug Surveillance: The Bureau operates a drug surveillance program that includes mandatory random testing, as well as, testing of certain categories of inmates. If a staff member orders an inmate to provide a urine sample for this program, and the inmate does not do so, that inmate will be subject to an incident report.

Alcohol Detection: A program for alcohol surveillance is in effect at all institutions. Random samples of the inmate population are tested on a routine basis, as well as, those suspected alcohol use. A positive will result in an incident report. Refusal to submit to the test will result in an incident report.

Fire Prevention and Control: Fire prevention and safety are everyone's responsibility. Inmates are required to report fires to the nearest staff member, so property and lives can be protected. Piles of trash or rags in closed areas, combustible materials, items hanging from fixtures or electrical receptacles, or other hazards cannot and will not be tolerated. Regular fire inspections are made in each institution by qualified professionals.

Programs and Services

Job Assignments: All inmates are expected to maintain a regular job assignment. Many job assignments are controlled through the Performance Pay System, which provides monetary payment for work. UNICOR has a separate pay scale. Institution maintenance jobs are usually the first assignment an inmate receives. These might include work in the areas of Food Service, Landscape, or Facilities Department in the maintenance shops. However, most institutions have a significant number of inmate jobs in UNICOR. Many institutions have a waiting list for factory employment. Inmates will be required to work in their initial job assignment for 90 days before requesting a job change.

UNICOR: UNICOR employs and trains inmates through the operation of and earning from factories producing high-quality products and services for the Federal Government. UNICOR earnings fund inmate programs and provide pre-industrial training to prepare inmates for employment. The UNICOR Factory at USP Lee County manufactures textile products.

Food Service: Inmates are provided nutritious, appealing meals in all Bureau institutions. Self-service meal operations for general population inmates may include features such as salad bars, special diet options, and pork-free meal programs. Specific approval procedures for special diets vary from institution to institution, and unit staff can explain them. Inmates in the Special Housing Unit also receive a balanced, nutritious diet. Except for any approved special diets, inmates receive the same diet as inmates in the general population.

Education Programs: The Education Department at USP and SCP Lee offers a variety of programs for all inmates. The programs available include General Equivalency Diploma classes (GED), English as a Second Language (ESL) classes, Vocational Training classes, Adult Continuing Education classes, parenting classes, leisure time activities, and library services. As new educational programs become available, flyer will be posted in the Units, in the Education Department, and in the Recreation areas. The flyers will contain information about each class including sign-up procedures. The law library and leisure library are maintained in the Education Department. By policy, with minor exceptions, all Federal prisoners who do not have a verified High School Diploma or GED, must enroll for 240 hours in the Literacy Program. Inmates may ask to be released from this program after 240 hours but may lose good conduct time if sentenced under the Violent Crime Control and Law Enforcement Act (VCCLEA) or the Prison Litigation Reform Act (PLRA) sentencing guidelines. All promotions in UNICOR and institution assignments beyond entry level grade are contingent upon successful completion of the Literacy Program. Inmates may also take correspondence courses with the approval of the Supervisor of Education. More information, in reference to the Education /Recreation A&O Handbook.

Recreation, Leisure, and Social Programs: Recreation programs are designed to encourage inmates to participate in wellness and leisure time activities. These programs include indoor and outdoor activities, individualized arts and crafts program, and intramural team sports such as softball, basketball, soccer, and volleyball. Physical fitness and weight reduction programs are also important activities for inmates. These programs contribute to good mental health, physical well being, and stress reduction. In addition, inmates can learn to use their free time constructively.

Hobby Crafts: Hobby craft programs vary from institution to institution. They typically include activities such as: painting, leather, art, and drawing. Completed projects must be mailed home. Inmates are not allowed to have completed projects in their housing unit.

Savings Account: Inmates are no longer able to open new savings accounts due to the Patriot Act. However, if an inmate has an existing account, they may coordinate deposits through his Unit Team, via BP199. Any passbooks associated with bank accounts will be maintained in the inmate's central file.

Counseling Activities: Alcoholic Anonymous, Se-Image groups, and other voluntary groups are available for interested inmates. Institutions have professional staff, who are trained in the social science fields. Inmate participation in these activities will be encouraged upon the staff's assessment of inmate needs, but participation in such activities is voluntary. Staff are available for informal counseling sessions.

Smoking Cessation Program: A program to help inmates stop smoking is offered by the Psychology and Health Services Departments. The program addresses nutrition, physical activity (exercise), stress management and nicotine replacement therapy. You may enter the program by submitting a written request to the Psychology Department. Benefits of the program are help quitting smoking and potentially improved health. After completing the educational portion with Psychology Services, you meet with Health Services staff about the nicotine replacement therapy option. Nicotine replacement therapy is an option for those who have completed the Psychology Services portion and receive medical clearance. The inmate must pay for the Nicotine Replacement therapy (patches) out of their personal funds. Nicotine replacement therapy is available through the commissary for approximately \$25 for a two week supply (prices will vary). The patches will be kept in Health Services and distributed from the pill line via a one-for-one exchange. If you have any questions, direct those to Psychology or Health Services staff.

Central Inmate Monitoring System: The Central Inmate Monitoring System (CIM) is a method for the Bureau's Central and Regional Offices to monitor and control the transfer, temporary release, and participation in community activities of inmates who pose special management considerations. Designation as a CIM case does not, in and of itself, prevent an inmate from participating in community activities. All inmates who are designated as a CIM case will be so notified by their Case Managers. Inmates in this category who apply for community activities should apply in ample time to allow the institution to obtain necessary clearances from the appropriate areas.

Release Preparation Programming: The Release Preparation Program is designed to assist inmates in preparing for release. Inmates will be given aid in developing plans for their personal lives and for work. These programs offer classes and seminars concerning the personal, social, and legal responsibilities of civilian life. Routinely, scheduled informational sessions with U.S. Probation Officers, U.S. Parole Commission members, other agencies, and employers are available. The Release Preparation programs will be emphasized and staff will address concerns about readjustment, current community issues, and educational/vocational opportunities. For eligible inmates, furloughs and community corrections center (halfway house) placements will be considered.

Psychology Services: All inmates will be screened by Psychology Services staff during the institution's A/O Program. Screening may include individual interview. Psychologists are available for individuals and/or group psychotherapy. Inmates interested in services can submit an Inmate Request to Staff Member (Cop-Outs) to Psychology Services. Mental Health services are offered in the areas of drug and alcohol abuse, as well as other behavioral or emotional problems.

Suicide Prevention: It is not uncommon for people to experience depression and hopelessness in jail or prison, particularly if they are newly incarcerated, are serving a long sentence, are experiencing family problems or problems getting along with other inmates, or receive bad news. Sometimes, inmates consider committing suicide due to all of the pressure they are under. Staff are trained to monitor inmates for signs of suicidality, and are trained to refer all concerns to the Psychology Department. However, staff do not always see what inmates see. If you are personally experiencing any of the problems noted above, or you or another inmate are showing signs of depression (sadness, tearfulness, lack of enjoyment in usual activities), withdrawal (staying away from others, reducing phone calls and/or visits), or hopelessness (giving away possessions, stating that "there is nothing to live for"), **PLEASE** alert a staff member right away. Your input can save a life.

Sexual Assault Prevention: While you are incarcerated, no one has the right to pressure you to engage in sexual acts. You do not have to tolerate sexual assault or pressure to engage in unwanted sexual behavior regardless of your age, size, race, or ethnicity. Whether you are straight, gay, lesbian, or bisexual, you have the right to be safe from unwanted sexual advances and acts. It is important that you tell a staff member if you have been sexually assaulted. You can tell your Case Manager, Chaplain, Psychologist, SIS, the Warden or any other staff member you trust. BOP staff members are instructed to keep the reported information confidential and only discuss it with the appropriate officials on a need to know basis. At the end of the handbook, there is a pamphlet with complete information on Sexual Assault Prevention/Intervention.

Religious Programs: Bureau institutions offer a wide range of religious programs to inmates.

Staff Chaplains of specific faiths are available, as well as, contract and volunteer representatives of other faiths. Special religious diets, holiday observances, and other worship activities are coordinated through the Chaplain's office.

Marriages: If an inmate wishes to be married while incarcerated, he must meet with his team first to initiate the process. The Warden's approval is required. All expenses of the marriage will be paid by the inmate. Government funds may not be used for marriage expenses. If an inmate requests permission to marry and must be mentally competent. The Chaplains are available to discuss with the inmate the issue of marriage while incarcerated.

Inmate Financial Responsibility Program: Working closely with the Administrative Office of the Courts and the Department of Justice, the Bureau administers a systematic payment program for court-imposed fines, fees, and costs. All designated inmates are required to develop a financial plan to meet their financial obligations. These obligations may include: fines and court costs, judgments in favor of the U.S., special assessments imposed under 18 USC 3013, court ordered restitution, other debts owed the Federal Government, and other court-ordered obligations (e.g. , child support, alimony, other debts owed the Federal Government, and other court-judgments). Institution staff assist in planning, but the inmate is responsible for making all payments required, either from earnings within the institution, or from outside resources. The inmate must provide documentation of compliance and payment. If an inmate refuses to meet his obligations, the inmate cannot work for UNICOR and receives \$5.25 per month maintenance pay and his spending limit in the commissary will be adjusted. The status of any financial plans will be included in all progress reports, and will be considered by staff when determining and inmate's Security and Custody level, job assignment, eligibility for community activities, and institutional program changes. The U.S. Parole Commission will also review financial responsibility progress at parole hearings.

Barber Shop: Haircuts and hair care services are authorized in the barber shop only. Hours of operation will be posted in each of the housing units and the Barber Shop. Those inmates wishing to receive a haircut must advise the Unit Officer who will notify the inmate barber. No personal items such as gym bags, books, or radios will be allowed into the barber shop.

Urgent Care: All urgent care situations or injuries will be given priority treatment. Appropriate medical care will be provided by institution Health Services staff.

Medications-Pill Line: Controlled medications are dispensed at a prescribed location (the "pill line") during specified time periods. Inmates in detention or segregation are provided their medication by medical staff in their staff.

On-the-job Injuries: If an inmate is injured while performing an assigned duty, he must immediately report this injury to his work supervisor. The work supervisor will then report the injury to the Health Services staff and the institution Safety Manager. The inmate may be disqualified from eligibility for lost-time wages or compensation, if he fails to report a work injury promptly to the supervisor.

Medically Unassigned: Medically unassigned duty restrictions may only be assigned by a Physician. Inmates in this status have serious medical conditions which may be further complicated by work of even the least strenuous nature.

Regular Duty With Restrictions: Inmates assigned regular duty status have limiting conditions. Restrictions must be specific to each inmate's limitations: (i.e., regular duty with weight restriction of ten (10) lbs., regular duty with standing restrictions of not more than one (1) hour, etc.)

Medical Idle: Medical Idle (quarters) is utilized for an inmate who has a medical condition which requires total removal from his work assignment for periods of up to three (3) days. While in "Idle" status inmates are not permitted to use the telephone during normal work, Monday to Friday. Any inmate on Medical Idle status found outside his housing unit except for being in areas noted above, will be considered "**Out of Bounds**" and an incident report will be written.

Convalescence: Convalescence is utilized for an inmate who is recovering from an illness, injury, or surgery, who is

not physically ready to assume full duty and requires some activity as part of his treatment plan. While on "Convalescence," the inmate has all the usual privileges of the institution, except for use of the telephone during his regular work hours, or any restrictions imposed by the Health Services staff (e.g., "no athletic activity" etc).

Health Services Rights & Responsibilities

While in custody of the Federal Bureau of Prisons you have the to receive health care in a manner that recognizes your basic human rights and you also accept the responsibility to respect the basic human rights of your health care providers.

- 1) **Right** - You have the right to health care services in accordance with the procedures of this facility. Health Services include medical sick call, dental sick call, and all support services. The hours for sick-call will be posted. Emergency health care services are available twenty-four (24) hours each day and are accessed by contacting the Correctional Worker responsible for you.

Responsibility - You have the responsibility to comply with the health care policies of this facility. You have the responsibility to follow recommended treatment plans that have been established for you by the facility's health care staff, including proper use of instructions of your health care provider.

- 2) **Right** - You have the right to be offered the chance to obtain a Living Will (at your own expense), or to provide the Bureau of Prison with Advance Directives that would provide the Bureau of Prisons with instructions if you are admitted on an inpatient basis to a hospital.

Responsibility - You have the responsibility to provide the Bureau of Prisons with accurate information to complete this agreement.

- 3) **Right** - You have the right to participate in health promotion and disease prevention programs, including those providing education regarding infectious diseases.

Responsibility - You have the responsibility to maintain your health and not to endanger yourself, or others, by participating in activity that could result in the spreading or catching an infectious disease.

- 4) **Right** - You have the right to know the name and professional status of your health care provider.

Responsibility - You have the responsibility to respect these providers as professionals and follow their instructions to maintain and improve your overall health.

- 5) **Right** - You have the right to be treated with respect, consideration, and dignity.

Responsibility - You have the responsibility to treat staff in the same manner.

- 6) **Right** - You have the right to be provided with information regarding your diagnosis, treatment, and prognosis.

Responsibility - You have the responsibility to keep this information confidential.

- 7) **Right** - You have the right to be examined in privacy.

Responsibility - You have the right to comply with security procedures.

- 8) **Right** - You have the right to obtain copies of certain portions of your health record.

Responsibility - You have the responsibility of being familiar with the current policy to obtain these records.

- 9) **Right** - You have the right to address any concerns regarding your health care to any member of the institution staff including the Physician, the Health Services Administrator, the members of your Unit Team,

and the Warden.

Responsibility - You have the responsibility to address your concerns in the accepted format, such as Inmate Request to Staff Member form, open house, or the accepted Inmate Grievance Procedures.

- 10) **Right** - You have the right to receive the prescribed medications and treatments in a timely manner, consistent with the recommendations of the prescribing health care provider.

Responsibility - You have the responsibility to comply with prescribed treatments and follow prescription orders. You also have the responsibility not to provide any other prescribed items.

- 11) **Right** - You have the right to be provided healthy and nutritious food. You have the right to instruction regarding a healthy diet.

Responsibility - You have the responsibility to eat healthy and not to abuse or waste food or drink.

- 12) **Right** - You have the right to request a routine physical examination, as defined by Bureau of Prisons' Policy (If you are under the age of 50, once every two years, if over the age of 50, once a year.)

Responsibility - You have the right to notify medical staff that you wish to have an examination.

- 13) **Right** - You have the right to dental care as defined in the Bureau of Prisons' Policy to include preventive services, emergency care, and routine care.

Responsibility - You have the responsibility to maintain your oral hygiene and health.

- 14) **Right** - You have the right to a safe, clean, and healthy environment, including smoke-free-living areas.

Responsibility - You have the responsibility to maintain the cleanliness and safety in consideration of others. You have the responsibility to follow smoking regulations.

- 15) **Right** - You have the right to refuse medical treatment in accordance with Bureau of Prisons' Policy. Refusal of certain diagnostic tests for infectious diseases can result in administrative action against you. You have the right to be counseled regarding the possible ill-effects of refusing medical treatment.

Responsibility - You have the responsibility to notify health service regarding any ill-effects that occur as a result of your refusal. You also accept responsibility to sign the treatment refusal form.

Contact with the Community and Public

Correspondence: In most cases, inmates are permitted to correspond with the public, family members, and others without prior approval or the maintenance of a correspondence list. Outgoing mail is to be placed in mailboxes located in an inmate's assigned housing unit. Outgoing mail for inmates at the SCP may be sealed, in accordance with the Bureau's open correspondence privileges. The outgoing mail in the USP will be inspected by staff and must be unsealed when deposited in the institution mailbox. The outgoing envelope must have the inmate's name, register number, and complete return address in the upper left hand corner.

Inmates must assume responsibility for the contents of all of their letters. Correspondence containing threats, extortion, etc., may result in prosecution for violation of Federal laws.

Inmates may be placed on restricted correspondence status based on misconduct or as a matter of classification. This inmate is notified of this placement and has the opportunity to respond. There is no mail service on weekends and holidays.

Incoming Correspondence: First Class mail is distributed Monday through Friday (except holidays), ordinarily, by the evening watch officer in each living unit. Newspapers and magazines may also be delivered at this time. Legal and special mail distribution will be discussed by the Inmate System Manager in the A/O Lecture. The number of

incoming letters an inmate may receive will not be limited unless the number received places an unreasonable burden on the institution. Inmates are asked to advise those writing to them to put the inmate's register number, unit, and USP Lee/SCP Lee on the envelope to aid the prompt delivery of mail. All inmate packages received at the institution must have prior authorization. Ordinarily, authorizations for inmates to receive incoming packages will be limited to release clothing only.

Incoming Publications: The Bureau permits inmates to subscribe to and receive publications without prior approval. The term "publication" means book, single issue of a magazine or newspaper, or materials addressed to a specific inmate, such as advertising brochures, flyers, and catalogs. An SCP inmate may receive soft-cover publications (paperback books, etc.) From any source, but the package or envelope containing soft back books or magazines must indicate on the outside of the package "authorized reading material." A USP inmate may receive hardcover publications, newspaper, only from a publisher or a book club. Accumulation of publications will be limited to 10 magazines (not to be more than 3 months old) and to the amount that can be neatly stored in the locker provided in each room, due to sanitation and fire safety concerns. The Executive Assistant may allow more space for legal publications upon request. The Warden will reject a publication if it is determined to be detrimental to the security, good order or discipline of the institution, or if it might facilitate criminal activity. Publications which may be rejected by the Warden include, but are not limited to publications which meet one of the following criteria:

It depicts or describes procedures for the construction or use of weapons, ammunition, bombs, or incendiary devices. It depicts, encourages, or describes methods of escape from correctional facilities, or contains blueprints, drawings, or similar descriptions of Bureau of Prisons' institutions. It depicts or describes procedures for the brewing of alcoholic beverages or the manufacturing of drugs. It is written in code. It depicts, describes, or encourages activities which may lead to the use of physical violence or group disruption. It encourages or instructs in the commission of criminal activity. It is sexually explicit material.

"Special Mail": Is a category of correspondence which may be sent out of the institution unopened and unread by staff, which includes correspondence to the: President and Vice-President of the United States, U.S. Department of Justice (including Bureau of Prisons), U.S. Attorneys' Offices, Surgeon General, U.S. Public Health Service, Secretary of the Army, Navy, or Air Force, U.S. Courts, U.S. Probation Officers, Members of the U.S. Congress, Embassies and Consulates, Governors, State Attorney General, Prosecuting Attorneys, Directors of State, Department of Corrections, State Parole Commissioners, State Legislators, State Courts, State Probation Officers, other Federal and State law enforcement officers, attorneys, and representatives of the news media. Special Mail also includes mail received from the following: President and Vice President of the United States, Attorneys, Members of U.S. Congress, Embassies and Consulates, the U.S. Department of Justice (excluding the Bureau of Prisons), other Federal law enforcement officers, U.S. Attorneys, State Attorney's General, Prosecuting Attorneys, Governors, U.S. Courts, and State Courts. The special mail box is located adjacent to the inmate dining hall. Letters not placed in the special mail box will not be treated as special mail.

A designated staff member will open incoming Special Mail in the presence of the inmate. This mail will be checked for physical contraband and for qualification as Special Mail. The Correspondence will not be read or copied if the sender has accurately identified himself or herself on the envelope and it clearly indicates that the correspondence is "Special Mail opened only in the presence of the inmate." Without adequate identification as Special Mail, staff will treat the mail as general correspondence. In this case, the mail will be opened, read, and inspected.

Inmate Correspondence with Representative of the News Media: An inmate may write through Special Mail procedures to representatives of the news media if specified by name or title.

The inmate may not receive compensation or anything of value for correspondence with the news media. The inmate may not act as a reporter, publish under a byline, or conduct a business or profession while in Bureau custody. Representatives of the news media may initiate correspondence with an inmate. Correspondence from a representative of the new media will be opened, inspected for contraband, for qualifications as media correspondence, and for content which is likely to promote either illegal activity or conduct contrary to regulations.

Correspondence Between Confined Inmates: An inmate may be permitted to correspond with an inmate confined in another correctional institution. This is permitted if the other inmate is either a member of the immediate family, or party in an active legal action (or witness) in which both parties are involved. The following additional limitations apply: Such correspondence may always be inspected and read by staff at the sending and receiving institutions (**it**

may not be sealed by the inmate.) The Unit Manager at both institutions must approve the correspondence for Bureau confined inmates. If the other inmate resides in a state facility, both respective Wardens must approve the correspondence.

Rejection of Correspondence: The Warden may reject correspondence sent by or to an inmate if it is determined to be detrimental to the security, good order, of discipline of the institution, to the protection of the public, or if it might facilitate criminal activity. Examples include:

Matter which is non-mailable under law or postal regulations. Information of escape plots, of plans to commit illegal activities, or to violate institution rules. Direction of an inmate's business (Prohibited Act 408). An inmate may not direct a business while confined. This does not, prohibit correspondence necessary to enable an inmate to protect property or funds that were legitimately his at the time of his commitment. An inmate may correspond about refinancing a mortgage for his home or sign insurance papers. However, the inmate may not operate (for example) a mortgage or insurance business while confined in the institution.

Notification of Rejection: The Warden will give written notice to the sender concerning the rejection of mail and the reasons for rejection. The sender of the rejected correspondence may appeal the rejection. The inmate will also be notified of the rejection of correspondence and the reason for it. The inmate also has the right to appeal the rejection. The Warden shall refer the appeal to a designated officer other than the one who originally disapproved the correspondence. Rejected correspondence ordinarily will be returned to the sender.

Change of Address/Forwarding of Mail: Inmates may obtain change of address cards from the institution mail room. These cards should be completed by inmates who are being released or transferred, to notify correspondents of a change in address. Any general mail received after 30 days will be returned to sender. Special Mail will continue to be forwarded for 30 days.

Certified/Registered Mail: Inmates desiring to use certified, registered, or insured mail may do so, subject to handling methods established at each institution. An inmate may not be provided services such as express mail, private carrier services, COD, or stamp collecting while confined. Scales and certified materials will be available in the law library.

Postage Stamps: Inmates who require excess stamps beyond the authorized amount will submit a Inmate Request to Staff Member which includes the exact amount of excess stamps required along with the a completed Request for Authorization to Mail Inmate Package to his Unit Manager. Once completed, the inmate will need to coordinate with his Unit Team for the purchasing of stamps and mailing the package. A member of the Unit Team will escort inmate to the commissary and then proceed directly to the mail room. Excess stamp purchases are available on Friday afternoons, and it is the inmate's responsibility to allow adequate time to complete the process. At no time will an inmate be authorized to retain excess stamps without direct supervision of a staff member.

Telephones: It is expected each inmate will handle his calls in such a manner that will allow the equal use of the phones by all inmates. At USP and SCP Lee County, inmates will be allowed to talk on the telephone for up to 300 minutes per month. Calls will be limited to 15 minutes. Additionally, after the call is completed, there will be a 1 hour waiting period until the next call can be made. **Telephones will not be used to conduct a business or during your normal working hours (Time you are normally scheduled to work).** Telephone procedures are posted in each side of the units.

Telephones are to be used for lawful purposes only. Threats, extortion, etc. may result in prosecution. All inmate telephones are subject to monitoring and recording. Inmates must contact their Counselor to arrange an unmonitored attorney call.

USP Lee/SCP Lee have the Inmate Telephone System (ITS) and collect calls. This system uses a Personal Access Code (PAC). It allows you to call up to thirty approved numbers. In order to use the system, you will have to transfer funds from your commissary account to your individual telephone account. There are telephones located in each housing unit for your use. **No third party or credit card calls can be made on these lines.** Collect calls can also be made to approved telephone numbers. Phone time will be purchased from the commissary. Forms for updating telephone numbers may be obtained from the Unit Counselor.

Secret PAC: Secret PAC is a nine (9) digit number. This will allow you to place a call by first entering the telephone number followed by your nine (9) digit PAC number. All calls are automatically terminated after fifteen (15) minutes.

Changes to your phone list may be made on any day up to three times a month. Additional changes will be permitted when staff determine that the inmate has demonstrated need for prompt communication, i.e., family emergency, etc.

Visiting: Inmates are encouraged to have visits in order to maintain family and community ties. Visiting hours are established locally and provided to inmates so they can advise their prospective visitors. Visiting may be limited on an hourly, or other allocation basis to ensure equitable access to visiting facilities. Requests for special visits should be directed to the unit staff. New inmates are asked to submit a visiting list which will be given to their Counselor for approval. Relatives and friends may be approved after certain checks are made. Requests for approval for visitors should be made to the Counselor at least three weeks in advance of the intended visit. Holdovers and Pre-Trial inmates may be limited to immediate family on their visiting list. All visits will begin and end in the visiting room. Kissing, embracing, and handshaking are allowed only on arrival and departure. No other contact is authorized. **(This Rule will be strictly followed.)**

Inmates must be properly dressed in order to be admitted to the Visiting Room. Each institution has limits on the number and type of articles that can be taken into the visiting room. Typical items that may be taken into the Visiting Room by an inmate are limited to a wedding band, prescription eyeglasses, and religious medal. Items purchased in the Visiting Room may not be brought back into the institution by the inmate. Visitors must be properly dressed. Visitors wearing sexually provocative clothing will be prohibited from entering the facility. Female visitors may not wear skirts which end more than 2 inches above the knee, halter tops, sleeveless shirts, tank tops, backless shirts/dresses, body suits, wrap around skirts, hip huggers or see-through clothing. Adult visitors (male/female) will not be permitted to wear shorts or athletic wear, to include sweat suits, in the Visiting Room. Clothing which resembles inmate attire will not be permitted into the institution, (I.E. khaki colored pants or shirts). Footwear must be worn by all visitors.

Identification of Visitors: Photo identification is required for visitors. These may include a State Driver's License or State I.D. Card with full names and signatures affixed. Birth Certificates are not considered proper identification. Persons without proper identification will not be permitted to visit.

Visitors may be asked to submit to a search and will be checked with a metal detector. Attorneys may bring a briefcase to the Visiting Room. These items will be searched before entering the Visiting Room. Other personal articles belonging to visitors must remain in their vehicle or be placed in lockers provided by the institution. Also, a reasonable amount of diapers and other infant care items and sanitary napkins may be brought into the Visiting Room. No food may be brought into the visiting room, vending equipment is located convenient to all Bureau visiting rooms. Certain prescription drugs may be brought into the Visiting Room but they must be declared to the Visiting Room Officer for authorization. An institutional wheelchair will be made available for visitors who require one or personal wheelchair may be authorized after it has been searched. Inmates are not allowed to receive either coins or paper money for their commissary account while in the visiting room. Money for commissary accounts should be sent through the mail. No items may be exchanged in the Visiting Room without prior approval by the appropriate staff member. Individuals who arrive for visits inappropriately attired may be denied entrance into the institution.

Children under the age of 18 must be accompanied and supervised by an adult visitor. The supervising adult should ensure that children visitors display appropriate behavior at all times.

Directions from Interstate 75: Take exit 29 in Corbin, Kentucky and proceed east on highway 25E (approximately 50 miles). After driving through the Cumberland Gap Tunnel, turn North on highway 58. Follow highway 58 into Jonesville, Virginia (34 miles). You must ensure that you turn right on highway 58 in downtown Jonesville. USP Lee County is nine miles beyond Jonesville on the left-hand side of the road, State Route 638.

Directions from Interstate 81: Take Interstate 181 Northwest to Weber City, Virginia. Turn West on highway 23 toward Duffield, Virginia (16 miles), turn left onto highway 58 in Duffield and drive 13 miles to USP Lee County. The prison is on the right side of the road, State Route 638.

There are no taxi, bus, or airline services in the immediate area of the institution. However, taxi and airline service is available in Kingsport, Tennessee, which is approximately 50 miles from USP Lee County.

Visiting Hours:

USP Lee County		SCP Lee County	
Friday	5:00 p.m. - 8:30 p.m.	Friday	5:00 p.m. - 8:30 p.m.
Saturday	8:00 a.m. - 3:00 p.m.	Saturday	8:00 a.m. - 3:00 p.m.
Sunday	8:00 a.m. - 3:00 p.m.	Sunday	8:00 a.m. - 3:00 p.m.
Federal Holidays	8:00 a.m. - 3:00 p.m.	Federal Holidays	8:00 a.m. - 3:00 p.m.

Access to Legal Services

Legal Correspondence: Legal correspondence from attorneys will be treated as Special Mail, if it is properly marked. The envelope must be marked with the attorney's name and an indication the he or she is an attorney. The front of the envelope must be marked "Special mail - open only in the presence of the inmate." It is the responsibility of the inmate to advise his attorney about this policy. If legal mail is not properly marked, it will be opened as general correspondence.

Attorney Visits: Attorneys should ordinarily make advance appointments for each visit. Attorneys are encouraged to visit during the regular visiting hours. However, visits from an attorney can be arranged at other times based on the circumstances of each case and availability of staff. Attorney visits will be subject to visual monitoring, but not audio monitoring.

Legal Material: During attorney visits, a reasonable amount of legal materials may be allowed in the visiting area with prior approval. With prior approval, legal material may be transferred during attorney visits, but is subject to inspection for contraband. This material will be treated in a similar manner as the special mail procedures described above. Inmates are expected to handle the transfer of legal materials through the mail as often as possible.

Attorney Phone Calls: In order for an inmate to place an unmonitored phone call to his attorney, the local procedures must be followed. Phone calls placed through the regular inmate phones are subject to monitoring.

Law Library: The law library is usually located in the Education Department and contains a variety of legal reference materials for use in preparing legal papers. Reference materials include the United States Code Annotated, Federal Reporter, Supreme Court Reporter, Bureau of Prisons Program Statements, Institution Supplements, Indexes, and other legal materials. The Law Library is open during convenient non-working hours, including weekends and holidays. An inmate Law Library Clerk is available for assistance in legal research. Legal materials are also available to inmates in detention or segregation status, ordinarily via a delivery system or satellite collection.

Notary Public: Under the provisions of 18 USC 4004, Case Managers are authorized to use an oath certification documents. A recent change in the law allows that a statement to the effect that papers, which an inmate signs, are "true and correct under penalty of perjury," will suffice in federal courts and other federal agencies, unless specifically directed to do otherwise. Some states will not accept a government notarization for real estate transactions, automobile sales, etc. In these cases, it will be necessary to contact unit staff for arrangements with the institution's notary public.

Copies of Legal Materials: In accordance with the institution procedures, inmates may copy materials necessary for their research or legal matters. A copier is available in the Education Department or Law Library for inmate use. Individuals who have no funds and can demonstrate a clear need for particular copies, may submit a written request for a reasonable amount of free duplication.

Federal Tort Claims: If negligence of institution staff results in personal injury or property loss or damage to inmate, it can be the basis of a claim under the Federal Tort Claims Act. To file such a claim, inmates must complete a Standard Form 95. They can obtain this form from their Counselor.

Freedom of Information/Privacy Act of 1974: The privacy Act of 1974 forbids the release of information from

agency records without a written request by, or without the prior written consent of the individual to whom the records pertain, except for specific instances. All formal requests for access to records about another person and/or agency records other than those pertaining to themselves (including Program Statements and Operations Memoranda) shall be processed through the Freedom of Information Act, 5 USC 552.

Inmate Access to Central Files: Inmates may request to review discloseable portions of their central file (plus Presentence Report and/or Summary) prior to the parole hearing. Institution staff will permit the review of the central file under procedures established locally.

Inmate Access to Other Documents: An inmate can request access to the “Non-Disclosable Documents,” regarding their case by submitting a “Freedom of Information Act Request” to the Director of the Bureau of Prisons, Attn: FOI Request. Such a request must briefly describe the nature of records wanted and approximate dates covered by the record. The inmate must also provide their register number and date of birth for identification purposes. A request on behalf of an inmate by an attorney, for records concerning that inmate, will be treated as a “Privacy Act Request” if the attorney has forwarded an inmate’s written consent to disclose materials. If a document is deemed to contain information exempt from disclosure, any reasonable part of the record will be provided to the attorney after the deletion of the exempt portions.

Executive Clemency: The Bureau advises all inmates that the President of the United States is authorized under the Constitution to grant executive clemency by pardon, commutation of sentence, or reprieve. A pardon is an executive act of grace that is a symbol of forgiveness. It does not connote innocence nor does it expunge the record of conviction. A pardon can be in “full” or “partial” depending on whether it absolves a person from all or a portion of the crime. A pardon may have conditions imposed upon it or it can be “absolute” which is without conditions of any kind. A pardon restores basic civil rights and facilitates the restoration of professional and other licenses that may have been lost by reason of the conviction. Other forms of executive clemency include commutation of sentence (a reduction of sentence imposed after a conviction), and a reprieve (the suspension of execution of a sentence for a period of time). Inmates should contact their assigned Case Manager for additional information regarding this program.

Commutation of Sentence: The Bureau also advises inmates on commutation of sentences. This is the form of executive clemency power used to provide post-conviction relief to inmates during their incarceration. This clemency power is authorized by the Constitution for the Chief Executive Officer, who is the President of the United States for federal offenses. A commutation of sentence is usually the last chance to correct an injustice which has occurred in the criminal justice process. Inmates applying for a commutation of sentence must do so on forms that are available from the assigned Unit Team. The rules governing these petitions are available in the Law Library.

A pardon may not be applied for until the expiration of at least five (5) years from the date of release from confinement. In some cases involving crimes of a serious nature, such as violation of Narcotic Laws, Gun Control Laws, Income Tax Laws, Perjury, and violation of public trust involving personal dishonesty, fraud involving substantial sums of money, violations involving organized crime, or crimes of a serious nature, a waiting period of seven years is usually required.

Problem Resolution

Inmate Requests to Staff Member: The Bureau form BP-Admin-70, commonly called a “Cop-Out,” is used to make a written request to a staff member. Any type of request can be made with this form. “Cop-Outs” may be obtained in the living units from the Correctional Officer on duty. Staff members who receive a “Cop-Out” will answer the request in a “reasonable” period of time. The answer may be written on the bottom of the request form.

Administrative Remedy Process: The Bureau emphasizes and encourages the resolution of complaints on an informal basis. Hopefully, an inmate can resolve a problem informally by contact with staff members or “Cop-Outs.” When informal resolution is not successful, a formal complaint can be filed as an Administrative Remedy. Complaints regarding Tort Claims, Inmate Accident Compensation, Freedom of Information, Privacy Act Requests, and complaints on behalf of other inmates are not accepted under the Administrative Remedy Procedure.

The first step of the Administrative procedure is to attempt an informal resolution. If the issue cannot be informally resolved, the Counselor will issue a BP-229(BP-9) form (usually within 48 hours of the time the inmate approached

the employee with the problem.) The inmate will return the completed BP-229 to the staff member designated by the Warden, who will review the material to insure an attempt at informal resolution was made. The BP-229 complaint must be filed within twenty (20) calendar days from the date on which the basis for the incident or complaint occurred, unless it was not feasible to file within that period of time. Institution staff have twenty (20) calendar days to act on the complaint and to provide a written response to the inmate. This time limit for the response may be extended for an additional twenty (20) calendar days, but the inmate must be notified of the extension.

When a complaint is determined to be of an emergency nature and threatens the inmate's immediate health or welfare, a staff will respond as soon as possible.

If the inmate is not satisfied with the response to the BP-229, he or she may file an appeal to the Regional Director. This appeal must be received in the Regional Office within twenty (20) calendar days from the date of the BP-229 response. The Regional Appeal is written on a BP-230 (BP-10) form, and must have a copy of the BP-229 form and response attached. The Regional Appeal must be answered within twenty (20) calendar days, but the time limit may be extended an additional twenty (20) days. The inmate must be notified of the extension.

If the inmate is not satisfied with the response by the Regional Director, he or she may appeal to the Central office of the Bureau of Prisons. The National Appeal must be answered within twenty (20) calendar days, but the time limit may be extended an additional (20) days if the inmate is notified.

In writing a BP-229, BP-230, or BP-231, the form should contain the following information:
Statement of Facts, Grounds for Relief, Relief Requested.

Sensitive Complaints: If an inmate believes a complaint is of such a sensitive nature that he would be adversely affected if the complaint becomes known to the institution, he may file the complaint directly to the Regional Director. The inmate must explain, in writing, the reason for not filing the complaint with the institution. If the Regional Director agrees that the complaint is sensitive, it shall be accepted and a response to the complaint will be processed. If the Regional Director does not agree that the complaint is sensitive, the inmate will be advised in writing of the determination and it will be returned. The inmate may then pursue that matter by filing a BP-229 at the institution.

Disciplinary Procedures

Discipline: It is the policy of the Bureau of Prisons to provide a safe and orderly environment for all inmates. Violations of Bureau rules and regulations are dealt with by the Unit Discipline Committee (UDC) and/or the Disciplinary Hearing Officer (DHO). Inmates are advised upon arrival at the institution of the rules and regulations and are provided with copies of the Bureau's Prohibited Acts, as well as local regulations.

Inmate Discipline Information: If a staff member observes or believes they have evidence that an inmate has committed a prohibited act, the first step in the disciplinary process is writing an incident report. This is a written copy of the charges against the inmate. The incident report shall ordinarily be delivered to the inmate within twenty-four (24) hours of the time staff become aware of the inmate's involvement in the incident. An informal resolution of the incident may be attempted by staff.

If an informal resolution is accomplished, the incident report will be removed from the inmate's central file. Violations in the greatest severity category must be forwarded to the DHO for final disposition. If an informal resolution is not accomplished, the incident report is forwarded to the UDC for an initial hearing.

Initial hearing: Inmates must ordinarily be given an initial hearing within three (3) work days of the time staff become aware of the inmate's involvement in the incident (excluding day staff became aware of the incident, weekends, and holidays). The inmate is entitled to be present at the initial hearing. The inmate may make statements or present documentary evidence on their behalf. The UDC may extend the time limits of these procedures for good cause. The Warden must approve any extension over five (5) days. The inmate must be provided with written reasons for any extension. The UDC will either make a final disposition of the incident or refer it to the DHO.

Disciplinary Hearing Officer: The DHO conducts disciplinary hearings on serious violations. The DHO may not act on a case that has not been referred by the UDC.

An inmate will be provided with advance written notice of the charges not less than 24 hours before the inmate's appearance before the DHO. The inmate may waive this requirement. An inmate will be provided with a full-time staff member of his choice to represent them if requested. An inmate may make statements in their own defense and may produce documentary evidence. The inmate may present a list of witnesses and request they testify at the hearing. Inmates may not question a witness at the hearing; the staff representative and/or the DHO will question any witness for the inmate. An inmate may submit a list of questions for the witness(es) to the DHO if there is no staff representative. The DHO will request a statement from all unavailable witnesses whose testimony is deemed relevant.

The inmate has the right to be present throughout the DHO hearing process, except during deliberations. The inmate charged may be excluded during appearances of outside witnesses or when institution security could be jeopardized. The DHO may postpone or continue a hearing for good cause. Reasons for the delay must be documented in the record of the hearing. Final disposition is made by the DHO.

Appeals of Disciplinary Actions

Appeals of all Disciplinary Actions: Appeals of all disciplinary actions may be made through Administrative Remedy Process.

Special Housing Unit Status

There are two categories of special housing: Administrative Detention and Disciplinary Segregation.

Administrative Detention: Administrative Detention separates an inmate from the general population. To the extent practical, inmates in Administrative Detention shall be provided with the same general privileges as inmates in general population. An inmate may be placed in Administrative Detention when the inmate is in holdover status during transfer, is a new commitment pending classification, is pending investigation or a hearing for a violation of Bureau regulations, is pending investigation or trial for a criminal act, is pending transfer, for protection, or is finishing confinement in Disciplinary Segregation.

Disciplinary Segregation: Disciplinary Segregation is used as a sanction for violations of Bureau rules and regulations. As inmates in Disciplinary Segregation are denied certain privileges, personal property will usually be impounded. Inmates placed in Disciplinary Segregation are provided with blankets, a mattress, a pillow, toilet tissue, and shaving utensils (as necessary).

Inmates may possess legal and religious materials while in Disciplinary Segregation. Also, staff shall provide a reasonable amount of non-legal reading material. Inmates in Disciplinary Segregation shall be seen by a member of the medical staff daily, including weekends and holidays. A designated unit staff member from each housing unit will visit the segregation unit daily. Inmates in both Administrative Detention and Disciplinary Segregation are provided with regular reviews of their housing status.

Releases

Sentence Computation: The Inmate Systems department is responsible for the computation of inmate sentences. An inmate will be given a copy of his or her sentence computation as soon as it is prepared. Any questions about good time, jail time credit, parole eligibility, full term dates, release dates, or periods of supervision are resolved by staff upon inmate request for clarification.

Fines and Costs: In addition to jail time, the court may impose a committed or non-committed fine and/or costs. A committed fine means that the inmate will stay in prison until the fine is paid, and/or makes arrangements to pay the fine, or qualifies for release under the provisions of Title 18 USC, Section, 3569 (paupers, oath). Non-committed fines have no condition of imprisonment based on payment of fines or costs. Payment for a non-committed fine or cost is not required for release from prison or transfer to a contract community corrections center.

Detainers: Warrants (or certified copies of Warrants) based on pending charges, overlapping, consecutive, or unsatisfied sentences in federal, state, or military jurisdictions, will be accepted as detainers. Detainers and untried charges can have an effect on institutional programs. Therefore, it is very important that the inmate attempt to

resolve all pending charges.

Federal and state detainees may be quickly processed under the procedures of the “Interstate Agreement on Detainers.” This agreement applies to all detainees based on pending charges which have been lodged against an inmate by a “member” state, including the U.S. Government, regardless of when the detainee was lodged. For an inmate to use this procedure, the warrant must be lodged with the institution. If no detainee is actually lodged at the institution, but the inmate knows of pending charges, it is important for the inmate to contact the court and district attorney because, in some states, the detainee notice may start the time running for a Speedy Trial Act agreement.

Good Conduct Good Time: This applies to inmates sentenced for an offense committed after November 1, 1987. The Comprehensive Crime Control Act became law November 1, 1987. The two most significant changes in the sentencing statutes deal with good time and parole issues. There are no provisions under the new law for parole. The only good time available will be fifty-four (54) days of good conduct time for each full year served. This is awarded on the anniversary date and may be awarded in part or in whole, contingent upon behavior during the year. Once awarded, it is vested and may not be forfeited. There is no statutory good time or extra good time for people being sentenced for crimes committed **after November 1, 1987.**

Release Planning: If granted Parole by the U.S. Parole Commission, the Commission will require an approved parole plan prior to release. An approved parole plan consists of an offer of employment and a place to reside. The job must pay at least minimum wage and normally may not require extensive travel. The place to reside must be a reputable establishment, but can be almost anywhere (parents, wife, friend, YMCA, etc.) The proposed parole plan is thoroughly investigated by the U.S. Probation Officer approximately three to six months before the scheduled parole date.

Halfway House Transfers: Inmates who are nearing release, and who need assistance in obtaining a job, residence or other community resources, may be transferred to a community corrections program. The Bureau’s Community Corrections Branch, within the Correctional Programs Division, supervises services provided to offenders housed in contract facilities and participating in specialized programs in the community. The Community Corrections Manager (CCM) links the Bureau of Prisons with the U.S. Courts, other Federal agencies, State and local Governments, and the community. The CCM is responsible for developing and maintaining a variety of contract facilities and programs and works under the supervision of the appropriate Regional Administrator.

Community Programs: Community programs have three major emphasis: residential community-based programs provided by community corrections centers as local detention facilities; programs that provide intensive nonresidential supervision to offenders in the community; and programs that board juvenile and adult offenders in contract correctional facilities.

Community-Based Residential Programs: The community-based residential programs available include both typical Community Corrections Center (CCC) and local detention facilities. Each provides a suitable residence, structured programs, job placement, and counseling while monitoring the offender’s activities. They also provide drug testing and counseling, and alcohol monitoring and treatment. While in these programs, employed offenders are required to pay subsistence to help defray the cost of their confinement. The inmate’s payment rate during CCC residence is twenty-five (25) percent of the inmate’s income. Most Bureau of Prisons community-based residential programs are provided in CCC’s. These facilities contract with the Bureau of Prisons to provide residential correctional programs near the offender’s home community. CCC’s are used primarily for three types of offenders: Those **nearing release** from a BOP institution, as a transitional service while the offender is finding a job, locating a place to live, and reestablishing family ties. Those **under community supervision** who need guidance and supportive services beyond what can be provided through regular supervision. Those **serving short sentences** of imprisonment and terms of community confinement. Each CCC now provides two components with one facility, a pre-release component and a community corrections component. The pre-release component assists offenders making a transition from an institutional setting to the community, or as a resource while under supervision. The community corrections component is designed as a punitive sanction. Except for employment and other required activities, the offenders in this second, more restrictive component must remain at the CCC, where recreation, visiting, and other activities are provided in-house. The other option for community-based residential programming is local detention facilities. Some local jails and detention centers are used to confine offenders serving short sentences. Many have work release programs where an offender is employed in the community during the day and return to the institution at night. These facilities may also be used for offenders sentenced to terms of intermittent

confinement such as nights, weekends, or other short intervals. Some of these local facilities have work release programs similar to the Community Corrections Component in a CCC, which serve to facilitate the transition from the institution to the community.

Conclusion: Hopefully this information will assist you during your incarceration. Feel free to ask any staff member for assistance, particularly unit team staff. For individuals who are not yet in custody, and who have been given this publication to prepare for commitment, the Bureau's Community Corrections Manager or the staff at the designated institution can help clarify any other concerns.

Inmate Copayment Program

Pursuant to the Federal Prisoner Health Care Copayment Act (FHCCA) of 2000 (P.L. 106-294, 18 U.S.C. § 4048), The Federal Bureau of Prisons and USP Lee County provide notice of the Inmate Copayment Program for health care, effective October 3, 2005.

A. **Application:** The Inmate Copayment Program applies to anyone in an institution under the Bureau's jurisdiction and anyone who has been charged with or convicted of an offense against the United States, except inmates in inpatient status at a Medical Referral Center (MRC). All inmates in outpatient status at the MRCs and inmates assigned to the General Population at these facilities are subject to copay fees.

Health Care Visits with a Fee:

1. You must pay a fee of \$2.00 for health care services, charged to your Inmate Commissary Account, per health care visit, if you receive health care services in connection with a health care visit that you requested, except for services described in section C., below.

These requested appointments include Sick Call and after-hours requests to see a health care provider. If you ask a non-medical staff member to contact medical staff to request a medical evaluation on your behalf for a health service not listed in section C., below, you will be charged a \$2.00 copay fee for that visit.

2. You must pay a fee of \$2.00 for health care services, charged to your Inmate Commissary Account, per health care visit, if you are found responsible through the Disciplinary Hearing Process to have injured an inmate who, as a result of the injury, requires a health care visit.

Health Care Visits with no Fee:

We will not charge a fee for:

1. Health care services based on health care staff referrals;
2. Health care staff-approved follow-up treatment for a chronic condition;
3. Preventive health care services;
4. Emergency services;
5. Prenatal care;
6. Diagnosis or treatment of chronic infectious diseases;
7. Mental health care; or
8. Substance abuse treatment.

If a health care provider orders or approves any of the following, we will also not charge a fee for:

- Blood pressure monitoring;
- Glucose monitoring;
- Insulin injections;
- Chronic care clinics;
- TB testing;

- Vaccinations;
- Wound Care; or
- Patient education.

Your health care provider will determine if the type of appointment scheduled is subject to a copay fee.

- D. Indigency:** An **indigent inmate** is an inmate who has not had a trust fund account balance of \$6.00 for the past 30 days.

If you are considered indigent, you will not have the copay fee deducted from your Inmate Commissary Account.

If you are NOT indigent, but you do not have sufficient funds to make the copay fee on the date of the appointment, a debt will be established by TRUFACS, and the amount will be deducted as funds are deposited into your Inmate Commissary Account.

- E. Complaints:** You may seek review of issues related to health service fees through the Bureau's Administrative Remedy Program (see 28 CFR part 542).

Inmate Rights and Responsibilities

1. You have the right to expect that as a human being you will be treated respectfully, impartially and fairly by all personnel.

2. You have the right to be informed of the rules, procedures and schedules concerning the operation of the institution.

3. You have the right to freedom of religious affiliation and voluntary worship.

4. You have the right to visit and correspond with family members and friends and correspond with members of the news media in keeping with Bureau rules and institution guidelines through your correspondence.

5. You have the right to unrestricted and confidential access to the courts by correspondence (on matter such as the legality of your conviction, civil matters pending, criminal cases and conditions of your imprisonment.)

6. You have the right to legal counsel from an attorney of your choice by interviews and correspondence.

7. You have the right to use the law library reference materials to assist you in resolving legal problems. You also have the right to receive help when it is available through a legal assistance program.

8. You have the right to a wide range of reading materials for educational purposes and for your own enjoyment. These materials may include magazines and newspapers sent from the community, with certain restrictions.

9. You have the right to participate in education, vocational training and employment as far as resources are available and in keeping with your life interests, needs and abilities.

10. You have the right to use your funds for commissary and other purchases, consistent with institution security and good order, for opening bank and or savings accounts and for assisting your family.

1. You have the responsibility to treat others, both employees and inmates, in the same manner.

2. You have the responsibility to know and abide by them.

3. You have the responsibility to recognize and respect the rights of others in this regard.

4. It is your responsibility to conduct yourself properly during visits, not to accept or pass contraband and not to violate the law or Bureau rules or institution guidelines.

5. You have the responsibility to present honestly and fairly your petitions, questions and problems to the court.

6. You have the responsibility to use the services of an attorney honestly and fairly.

7. It is your responsibility to use these resources in keeping with the procedure and schedule prescribed and to respect the rights of other inmates to the use of the materials and assistance.

8. It is your responsibility to seek and utilize such materials for your personal benefit without depriving others of their equal rights to the use of this material.

9. You have the responsibility to take advantage of activities which may help you live a successful and law-abiding life within the institution and in the community. You will be expected to abide by the regulations governing the use of such activities.

10. You have the responsibility to meet your financial and legal obligations, including but not limited to, court imposed assessments, fines and restitution. You also have the responsibility to make use of your funds in a manner consistent with your release plans, your family needs and for other obligations you may have.

GREATEST CATEGORY PROHIBITED ACTS

Offense Code

- 100 Killing
- 101 Assaulting any person (including sexual assault)
- 102 Escape from escort, secure institution, or escape with violence (low, medium, and high)
- 103 Setting a fire (greatest severity)
- 104 Possession, manufacture, or introduction of a weapon, dangerous chemical, explosive or any ammunition
- 105 Rioting
- 106 Encouraging others to riot
- 107 Taking hostage(s)
- 108 Possession, manufacture, or introduction of a hazardous tool
- 110 Refusing to provide a urine sample or to take part in other drug-abuse testing
- 111 Introduction of any narcotic, or related paraphernalia not prescribed for the individual by medical staff
- 112 Use of any narcotics, or related paraphernalia not prescribed for the individual by the medical staff
- 113 Possession of any narcotics, or related paraphernalia not prescribed for the individual by the medical staff
- 197 Use of the telephone to further criminal activity (greatest severity)
- 198 Interfering with a staff member in the performance of their duties (greatest severity)
- 199 Conduct which disrupts and interferes with the security or orderly running of a BOP facility (greatest severity)

AVAILABLE SANCTIONS FOR VIOLATION OF GREATEST OFFENSE

- A. Recommend parole date rescission or retardation
- B. Forfeit earned statutory good time or non-vested good conduct time (up to 100%) and/or terminate or disallow extra good time (an extra good time or good conduct time sanction may not be suspended)
- B.1 Disallow ordinarily between 50 and 75% (27-41 days) of good conduct time credit available for year (a good conduct time sanction may not be suspended)
- C. Disciplinary Transfer (recommend)
- D. Disciplinary segregation (up to 60 days)
- E. Make monetary restitution
- F. Withhold statutory good time (Note - can be in addition to A through E - cannot be the only sanction executed)
- G. Loss of privileges (Note - can be in addition to A through E - cannot be the only sanction executed)

HIGH CATEGORY PROHIBITED ACTS

Offense Code

- 200 Escape from unescorted Community Program, activity, open institution, or from outside secure institution without violence
- 201 Fighting with another person
- 203 Threatening another with bodily harm or any other offense
- 204 Extortion, blackmail, or protection
- 205 Engaging in sexual act
- 206 Making sexual proposals or threats to another
- 207 Wearing a disguise or a mask
- 208 Destroying or possession of any unauthorized locking device, lock pick, or tampering with and blocking any locking device
- 209 Adulteration of any food or drink
- 211 Possessing any officer's or staff clothing
- 212 Engaging in or encouraging a group demonstration
- 213 Encouraging others to refuse to work, or to participate in a work stoppage
- 215 Introduction of alcohol into BOP facility
- 216 Giving or offering an official or staff member a bribe, or anything of value
- 217 Giving/receiving money from any person for any illegal contraband or prohibited purposes
- 218 Destroying, altering, or damaging property valued in excess of \$100.00 or altering life-safety devices regardless of value

- 219 Stealing, including data/prohibited from automated equipment
- 220 Demonstrating, practicing, or using martial arts, boxing, wrestling, or other forms of physical encounter, or military exercises or drill (except for drill authorized and conducted by staff)
- 221 Being in an unauthorized area with person of opposite sex without staff permission
- 222 Making, possessing, or using intoxicants
- 223 Refusing Breathalyzer or to take part in a test for alcohol use
- 224 Assaulting any person (minor assault)
- 297 Use of Telephone for Abuses Other than Criminal Activity (e.g., circumventing telephone monitoring procedures, possession and/or use of another inmate's PIN number; third-party billing; using credit card numbers to place telephone calls; conference calling; talking in code) (high severity)
- 298 Interfering with Staff in Performance of Duties (high severity)
- 299 Conduct disruptive to security or orderly running of a BOP facility (high severity)

AVAILABLE SANCTIONS FOR VIOLATION OF HIGH CATEGORY PROHIBITED ACTS

- A. Recommend parole date rescission or retardation
- B. Forfeit earned statutory good time or non-vested good conduct time up to 50% or up to 60 days, whichever is less, and/or terminate or disallow extra good time (an extra good time or good conduct time sanction may not be suspended)
- B.1 Disallow ordinarily between 25 and 50% (14-27 days) of good conduct time credit available for year (a good conduct time sanction may not be suspended)
- C. Disciplinary Transfer (recommend)
- D. Disciplinary segregation (up to 30 days)
- E. Make monetary restitution
- F. Withhold statutory good time
- G. Loss of privileges: commissary, movies, recreation, etc.
- H. Change housing (quarters)
- I. Remove from program and/or group activity
- J. Loss of job
- K. Impound inmate's personal property
- L. Confiscate contraband
- M. Restrict to quarters

MODERATE CATEGORY PROHIBITED ACTS

- 300 Indecent exposure
- 302 Misuse of Authorized Medication
- 303 Possession of Money not Authorized, or in Excess of Amount Authorized
- 304 Loaning of Property or Anything of Value for Profit or Increased Return
- 305 Possession of Anything not Authorized
- 306 Refusing to Work, or to Accept a Program Assignment
- 307 Refusing to Obey an Order of any Staff Member
- 308 Violating a Condition of a Furlough
- 309 Violating a Condition of a Community Program
- 310 Unexcused Absence from Work or any Assignment
- 311 Failing to Perform Work as Instructed by the Supervisor
- 312 Insolence Towards a Staff Member
- 313 Lying or Providing a False Statement to a Staff Member
- 314 Counterfeiting or Forging any Documentation, Article of Identification, Money or Official Paper
- 315 Participating in an Unauthorized Meeting or Gathering
- 316 Being in an Unauthorized Area
- 317 Failure to Follow Safety or Sanitation Regulations
- 318 Using any Equipment Which is not Specifically Authorized
- 319 Using any Equipment Contrary to Instructions, or Posted Safety Standards
- 320 Failing to Stand Count
- 321 Interfering with the Taking of Count

- 324 Gambling
- 325 Preparing or Conducting a Gambling Post
- 326 Possession of Gambling Paraphernalia
- 327 Unauthorized Contact with the Public
- 328 Giving/Receiving Money or Anything of Value to/from Another Inmate, or any other Person without Staff Authorization
- 329 Destroying, Altering, or Damaging government property, or the property of another person, having a value of \$100 or less
- 330 Being Unsanitary or Untidy, in Accordance with Posted Standards
- 331 Possession, Manufacture, or Introduction of a Non-Hazardous Tool, or Other Non-Hazardous Contraband
- 332 Smoking Where Prohibited
- 397 Use of the Telephone for Abuses Other than Criminal Activity (e.g., Conference Calling; Possession and/or Use of Another Inmate's PIN Number; Three-Way Calling; Providing False Information for Preparation of a Telephone List/Moderate Severity)
- 398 Interfering with Staff in the Performance of Their Duties (Moderate Severity)
- 399 Conduct Which Disrupts or Interferes with the Security or Orderly Running of a BOP Facility (Moderate Severity)

AVAILABLE SANCTIONS FOR VIOLATION OF MODERATE CATEGORY ACTS

- A. Recommend parole date rescission or retardation
- B. Forfeit earned statutory good time or non-vested good conduct time up to 25% or up to 30 days, whichever is less, and/or terminate or disallow extra good time (an extra good time or good conduct time sanction may not be suspended)
- B.1 Disallow ordinarily up to 25% (1-14 days) of good conduct time credit available for year (a good conduct time sanction may not be suspended)
- C. Disciplinary Transfer (recommend)
- D. Disciplinary segregation (up to 15 days)
- E. Make monetary restitution
- F. Withhold statutory good time
- G. Loss of privileges: commissary, movies, recreation, etc.
- H. Change housing (quarters)
- I. Remove from program and/or group activity
- J. Loss of job
- K. Impound inmate's personal property
- L. Confiscate contraband
- M. Restrict to quarters
- N. Extra duty

LOW CATEGORY PROHIBITED ACTS

- 400 Possession of Another's Property
- 401 Possessing Unauthorized Amount of Authorized Clothing
- 402 Malingering, Feigning Illness
- 404 Using Abusive or Obscene Language
- 405 Tattooing or Self-Mutilation
- 406 Unauthorized Use of Mail
- 407 Conduct with a Visitor in Violation of BOP Regulations
- 408 Conducting a Business
- 409 Unauthorized Physical Contact
- 497 Use of the Telephone for Abuses Other than Criminal Activity (e.g., Exceeding the 15-Minute Time Limit for Telephone Calls, Using the Telephone in an Unauthorized Area, Placing of an Unauthorized Individual on the Telephone List (Low Severity))
- 498 Interfering with Staff in Performance of Duties (low severity)
- 499 Conduct Disruptive to Security or Orderly Running of a BOP facility (low severity)

AVAILABLE SANCTIONS FOR VIOLATION OF LOW CATEGORY PROHIBITED ACTS

- B.1** Disallow ordinarily up to 12.5% (1-7 days) of good conduct time credit available for year (to be used only where inmate found to have committed a second violation of the same prohibited act within 6 months); Disallow ordinarily up to 25% (1-14 days) of good conduct time credit available for year (to be used only where inmate found to have committed a third violation of the same prohibited act within 6 months) (a good conduct time sanction may not be suspended)
- E.** Make monetary restitution.
- F.** Withhold statutory good time
- G.** Loss of privileges: commissary, movies, recreation, etc.
- H.** Change housing (quarters)
- I.** Remove from program and/or group activity
- J.** Loss of job
- K.** Impound inmate's personal property
- L.** Confiscate contraband
- M.** Restrict to quarters
- N.** Extra duty
- O.** Reprimand
- P.** Warning



Sexual Abuse/Assault Prevention and Intervention

An Overview for Offenders

October, 1998

What is sexual abuse/assault? According to the Federal Bureau of Prisons (BOP) Program Statement on Sexual Abuse/Assault Prevention and Intervention Programs,

- **Inmate-on Inmate Sexual Abuse/Assault** is: *one or more inmates engaging in, or attempting to engage in a sexual act with another inmate or the use of threats, intimidating, inappropriate touching, or other actions and/or communications by one or more inmates aimed at coercing and/or pressuring another inmate to engage in a sexual act.*
- **Staff-on-Inmate Sexual Abuse/Assault** is: *engaging in, or attempting to engage in a sexual act with any inmate or the intentional touching of an inmate's genitalia, anus, groin, breast, inner thigh, or buttocks with the intent to abuse, humiliate, harass, degrade, arouse, or gratify the sexual desire of any person.*

Sexual abuse/assault of inmates by staff or other inmates is an inappropriate use of power and is prohibited by BOP policy and the law. (See appendix).

- **Staff Sexual Misconduct** is: *sexual behavior between a staff member and inmate which can include, but is not limited to indecent, profane or abusive language or gestures and inappropriate visual surveillance of inmates.*

Your right to be safe from sexual assault. While you are incarcerated, **no one has the right to pressure you to engage in sexual acts.** You do not have to tolerate sexual assault or pressure to engage in unwanted sexual behavior regardless of your age, size, race, or ethnicity. Whether you are straight, gay, lesbian, or bisexual, **you have the right to be safe from unwanted sexual advances and acts.**

Confidentiality. Information concerning the identity of an inmate victim reporting a sexual assault, and the facts of the report itself, shall be limited to those who have a need to know in order to make decisions concerning the inmate-victim's welfare and for law enforcement/investigative purposes.

What to do if you are assaulted. If you become a victim of a sexual assault, **you should report it immediately to staff** who will offer you immediate protection from the assailant and will refer you for a medical examination and clinical assessment. You do not have to name other inmates or the staff member to receive assistance, but specific information may make it easier for staff to help you. You will continue to receive protection from the assailant, whether or not you have identified your attacker or agree to testify against them. Even though you may want to clean up after the assault, **it is important to see medical staff BEFORE you shower, wash, drink, eat, change clothing, or use the bathroom.** Medical staff will examine you for injuries which may or may not be readily apparent to you. They can also check you for sexually transmitted diseases and gather any physical evidence of assault. The individuals who sexually abuse or assault inmates can only be disciplined and/or prosecuted if the abuse is reported.

How to Report an Incident of Sexual Assault. It is important that you **tell a staff member if you have been sexually assaulted.** You can tell your case manager, Chaplain, Psychologist, SIS, the Warden or any other staff member you trust. BOP staff members are instructed to keep the reported information confidential and only discuss it with the appropriate officials on a need to know basis.

There are however, other means to confidentially report the assault if you are not comfortable talking with staff.

Write directly to the Warden, Regional Director or Director.

You can send the Warden an Inmate Request to Staff Member (Cop-Out) or a letter reporting the sexual misconduct. You may also send a letter to the Regional Director or Director of the Bureau of Prisons. To ensure confidentiality, use special mail procedures.

File an administrative remedy. You can file a Request for Administrative Remedy (BP-9). If you determine your complaint is too sensitive to file with the Warden, you have the opportunity to file your administrative remedy directly with the Regional Director. (BP-10). You can get the forms from your counselor or other unit staff.

Write to the Office of the Inspector General (OIG) which investigates allegations of staff misconduct. The address is:

**Office of the Inspector General
P.O. Box 27606
Washington, D.C. 20530**

Seek Medical Help. If you have been sexually assaulted, you must get medical attention immediately. Although it may be difficult, it is important that you **do not shower after the assault.** Showering may wash off the hair and body fluids which are critical evidence. Also, bring the clothes and underwear that you had on at the time of the assault to the medical exam with you. You will be checked for the presence of physical evidence which supports your allegation. A medical professional will perform a pelvic and/or rectal examination to obtain samples of or document the existence of physical evidence such as hair, body fluids, tears or abrasions which remain after the assault. This physical evidence is crucial in

corroborating the sexual assault occurred and in identifying the assailant. The examination will be conducted privately and professionally.

You should seek medical help if you have been sexually assaulted or had sexual relations with others, to determine if you have been exposed to the HIV virus or other sexually transmitted diseases. Female offenders will be tested for pregnancy when appropriate.

Understand the Investigative Process. Once the misconduct is reported, the BOP and/or other appropriate law enforcement agency will conduct an investigation. The purpose of the investigation is to determine the nature and extent of the misconduct. You may be asked to give a statement during the investigation. If criminal charges are brought, you may be asked to testify during the criminal proceedings. Any inmate who alleges that he or she has been sexually assaulted shall be offered immediate protection and will be referred for a medical examination.

Counseling Programs For Victims of Sexual Assault. If you have been the victim of an assault by staff or inmates, you may seek counseling and/or advice from a psychologist or chaplain. Crisis counseling, coping skills, suicide prevention and mental health counseling are all available to you.

Most people need help to recover from the emotional effects of sexual assault. If you are the victim of a sexual assault, whether recent or in the past, psychology staff are available to counsel you. If you feel that you need help to keep from sexually assaulting someone else, psychological services are available to help you gain control over these impulses.

About Your Safety. If you feel that your right to be left alone sexually is being violated, staff are available to help you deal with this problem. You should feel free to discuss your concerns about sexual assault with any staff member. Some staff,

like psychologists, are specially trained to help you deal with problems in this area. If you are in an emergency situation, approach any staff member. It's part of their job to ensure your safety. Even if you have not been assaulted or abused, but are in fear for your safety, you must report your concerns to staff. You do not have to name other inmates to receive assistance, but specific information may make it easier for staff to help you.

Avoiding Sexual Assault. Here are some things you can do to protect yourself against sexual assault:

- Carry yourself in a confident manner at all times. Do not permit your emotions (fear/anxiety) to be obvious to others.
- Do not accept gifts or favors from others. Most gifts or favors come with strings attached to them.
- Do not accept an offer from another inmate to be your protector.
- Find a staff member with whom you feel comfortable discussing your fears and concerns.
- Be alert! Do not use contraband substances such as drugs or alcohol; these can weaken your ability to stay alert and make good judgments.
- Be direct and firm if others ask you to do something you don't want to do. Do not give mixed messages to other inmates regarding your wishes for sexual activity.
- Stay in well lit areas of the institution.
- Choose your associates wisely. Look for people who are involved in positive activities like educational programs,

psychology groups, or religious services. Get involved in these activities yourself.

- Trust your instincts. If you sense that a situation may be dangerous, it probably is. If you fear for your safety, report your concerns to staff.

REMEMBER:

Sexual Assault is a serious crime. The BOP will investigate all reported incidents of sexual assault. If you are a victim of such an assault **REPORT IT IMMEDIATELY**. BOP staff **WILL PROTECT YOU** from the assailant.

Staff or inmates who engage in sexual abuse or assault of inmates **will be investigated** by law enforcement authorities and if found guilty will be subject to a full range of criminal and administrative sanctions.

Any sexual act between inmates and staff (even when no objection is raised) is **ALWAYS illegal**.

APPENDIX.

Practical Definitions. The following practical definitions and examples are provided as general descriptions of behaviors that are inappropriate. Other state and federal statutes may prohibit this conduct.

Inmate-on-Inmate Sexual Abuse/Assault : One or more inmates engaging in, or attempting to engage in a sexual act with another inmate or the use of threats, intimidation, inappropriate touching, or other actions and/or communications by one or more inmates aimed at coercing and/or pressuring another inmate to engage in a sexual act. Sexual acts or contacts between inmates, even when no objections are raised, are prohibited acts.

Prohibited Acts: Inmates who engage in inappropriate sexual behavior with or direct it at others, can be charged with the following Prohibited Acts under the Inmate Disciplinary Policy.

Code 101/(A):	Sexual Assault
Code 205/(A):	Engaging In a Sex Act
Code 206/(A):	Making a Sexual Proposal
Code 221/(A):	Being in an Unauthorized Area with a Member of the Opposite Sex
Code 300/(A):	Indecent Exposure
Code 404/(A):	Using Abusive or Obscene Language

Staff-on-Inmate Sexual Abuse/Assault: Engaging in, or attempting to engage in a sexual act with any inmate or the intentional touching of an inmate's genitalia, anus, groin, breast, inner thigh, or

buttocks with the intent to abuse, humiliate, harass, degrade, arouse, or gratify the sexual desire of any person.

Inappropriate Staff Conduct. The Standards of Employee Conduct prohibit employees from engaging in, or allowing another person to engage in, sexual behavior with an inmate. Sexual behavior can include, but is not limited to indecent, profane or abusive language or gestures, and inappropriate visual surveillance of inmates.

- Making sexually offensive comments or gestures, or engaging in physical conduct of a sexual nature with an inmate.
- Influencing, promising or threatening an inmate's safety, custody, privacy, housing, privileges, work detail or program status in exchange for sexual favors.

It is NEVER appropriate for a staff member to make sexual advances, comments or to engage in sexual contact with an inmate. Even if the inmate wants to be involved with the staff member, the staff member is not allowed to respond. It is not appropriate for an inmate to approach a staff member sexually .

Statutory Definitions. The following statutes prohibit sexual behaviors by staff and inmates:

Aggravated Sexual Abuse (18 U.S.C. § 2241): **By force or threat** . . . Whoever, in a Federal prison, knowingly causes another person to engage in a sexual act or by using force against that person; or, by threatening or placing that other person in fear that any person will be subjected to death, serious bodily injury, or kidnapping; or attempts to do. **By other means** . . . Whoever, in a Federal prison, knowingly renders another person unconscious and thereby engages in a sexual act with that other person; or administers to another person by force or threat of force, or without the knowledge or permission of that person, a drug, intoxicant, or other similar substance or attempts to do so and thereby, substantially impairs the ability of that other person to appraise or control conduct; and engages in a sexual act with that other person.

Sexual Abuse (18 U.S.C. § 2242): Whoever, in a Federal prison, knowingly causes another person to engage in a sexual act by threatening or placing that other person in fear or attempts to do so; or engages in a sexual act with another person or attempts to do so if that person is incapable of appraising the nature of the conduct; or physically incapable of declining participation in, or communicating unwillingness to engage in, that sexual act.

The following criminal provisions are only applicable to sexual misconduct by staff members.

Sexual Abuse of a Ward (18 U.S.C. § 2243(b)): Whoever, in a Federal Prison, knowingly engages in a sexual act or attempts to do so with another person who is in official detention; and under the custodial, supervisory, or disciplinary authority of the person so engaging.

Abusive Sexual Contact (18 U.S.C. § 2244): Whoever, in a Federal prison, knowingly engages in sexual contact with another person without that other person's permission.

Terms Defined (18 U.S.C. § 2246): **Sexual Act is defined as:** . . . contact between the penis and the vulva or the penis and the anus; contact occurs upon penetration, however slight; contact between the mouth and the penis, the mouth and the vulva, or mouth and the anus; or the penetration, however slight, of the anal or genital opening by another by a hand or a finger or by any object - with the intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person.

Sexual contact is defined as: . . . the intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person.

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